

COPY OF PAPERS
ORIGINALLY FILED

PATENT
Docket No. 57443-010003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of James et al.

Appln. No. 09/835,467

Filed: April 16, 2001

Title: Apparatus and Method For An
Enhanced PCS Communication
System

Examiner: unassigned

Group Art Unit: 2683

Certificate of Mailing

I, hereby certify that this correspondence (along with
any documents referred to as attached or enclosed) is
being deposited with the US Postal Service as first class
mail in an envelope addressed to Assistant
Commissioner for Patents, Washington, DC 20231, on
the date of my signature.

Glenville Hutchins
Signature

11-02-2001
Date of Signature

RESPONSE TO NOTICE OF INCOMPLETE REPLY

RECEIVED

MAR 19 2002

Technology Center 2600

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicants hereby respond to the Notice of Incomplete Reply dated September 17, 2001
(copy enclosed) as follows:

ABSTRACT

Attached hereto is a clean version of the Abstract on a separate sheet.

REMARKS

The September 17, 2001 Notice of Incomplete Reply asserts that because the amended
Abstract was not submitted on a separate sheet, the July 27, 2001 reply to the June 4, 2001 Notice to
File Corrected Application Papers was incomplete. Applicants traverse this finding. The originally
filed application included an Abstract on a separate page. Pursuant to 37 C.F.R. §1.121(b)(2) the
July 27, 2001 reply included a reference to the Abstract along with an instruction to delete the
Abstract and to replace it with a replacement Abstract. The replacement section was submitted in
clean form and a marked up version of the replacement section on a page separate from the

02/07/2002 #WOLDER1 000000014 130206 09835467
01 FC:117 920.00 CH

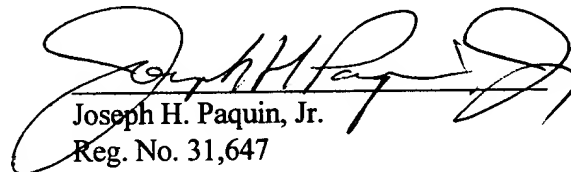
In re Appln. of James et al.
Appln. No. 09/835,467

amendment was also submitted. Rule 121(b)(2) does not require that the replacement section be submitted in clean form on a separate page, only that the marked up version be submitted on a separate page. Therefore, the July 27, 2001 reply was complete.

In the event that the July 27, 2001 reply is still deemed incomplete and further for the convenience of the Patent Office, a clean copy of the Abstract is attached hereto. In addition, if deemed necessary, pursuant to 37 C.F.R. § 1.136(a), Applicants petition for a three-month extension of time to and including November 4, 2001. Please charge the fee of \$920.00 required by 37 C.F.R. §1.17 (a) to Account No. 13-0206. A duplicate of this transmittal is attached.

If any additional fee is required in connection with this response in order that it be deemed timely filed, please charge Account No. 13-0206.

Respectfully submitted,


Joseph H. Paquin, Jr.
Reg. No. 31,647

Date: November 2, 2001

McDERMOTT, WILL & EMERY
227 West Monroe Street
Chicago, Illinois 60606-5096
tel.: (312) 372-2000
fax.: (312) 984-7700

FEE TRANSMITTAL

FEB 01 2002

Note: Effective November 30, 1998
Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT \$920.00

Complete if Known

Application Number	09/835,467
Filing Date	April 16, 2001
First Named Inventor	James et al.
Title	Apparatus and Method for An Enhanced PCS ...
Group Art Unit	2683
Examiner Name	Unassigned
Attorney Docket No.	57443-010003

METHOD OF PAYMENT (check one)

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Deposit
Account
Name

13-0206

McDermott, Will & Emery

- ☒
- Charge Any Additional
-
- Fee Required Under 37
-
- CFR 1.16 and 1.17
- ☐
- Charge the Issue Fee Set in
-
- 37 CFR 1.18 at the Mailing of
-
- the Notice of Allowance

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Money ☐ Other
Order

FEE CALCULATION (continued)

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3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	\$920
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design Issue fee	
144	600	244	300	Plant Issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify) _____					
Other fee (specify) _____					
Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					\$920.00

FEE CALCULATION

1. FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL					

2. CLAIMS

	Highest No. Paid For	Extra	Fee from below	Fee Paid
Total Claims	-20 =	0	x	
Independent Claims	-3 =	0	x	
Multiple Dependent Claims			x	

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claims
109	84	209	42	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent
SUBTOTAL				

SUBMITTED BY

Typed or Printed Name Joseph H. Paquin, Jr.

Signature

Date

November 2, 2001

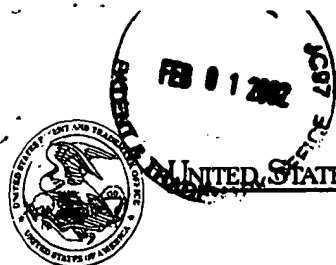
Complete (if applicable)

Reg. Number

31,647

Deposit Account

13-0206

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ORIGINALLY FILED

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/835,467	04/16/2001	Randy James	57443-010003

CONFIRMATION NO. 8059

FORMALITIES LETTER



OC000000006562534

Joseph H. Paquin, Jr.
McDermott, Will & Emery
227 West Monroe
Chicago, IL 60606

Date Mailed: 09/17/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, doesnot include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- Abstract must be on a separate sheet.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

RECEIVED

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ABSTRACT OF THE DISCLOSURE

The vertical blanking interval ("VBI") of a video signal is used in broadband communications including digital data transmission on the VBI or a dual VBI/PCS system capable of enhancing rapid deployment of wireless VBI communications or PCS services to a remote transceiver where no or marginally profitable infrastructure exists. A wireless digital communication system has a broadcast interface for encoding message information on the VBI of a video signal. The message information is encoded to a VBI format to form a pre-formatted signal. A broadcast device transmits an out-going signal having the pre-formatted signal modulated or otherwise embedded in the VBI. The pre-formatted signal is received from the broadcast interface and is transmitted on a carrier of the out-going signal. At least one transceiver receives the out-going signal and transmits a return signal on the carrier of the out-going signal